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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Fourteenth session

SUMMARY RECORD OF THE 270th MEETING

Held at Headquarters, New York,
on Monday, 23 January 1995 at 3.15 p.m.

Chairperson: Ms. AOUIJ
(Vice-Chairperson)

later: Ms. CORTI
(Chairperson)

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In the absence of the Chairperson, Ms. Aouij, Vice-Chairperson, took the Chair.

The meeting was called to order at 3.15 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Initial and second periodic reports of Uganda (CEDAW/C/UGA/1-2)

1. At the invitation of the Chairperson, Ms. Baryaruha (Uganda) took a place at the Committee table.

2. Ms. BARYARUHA (Uganda) said that prior to 1986, Uganda's human rights record had been among the worst in the world, and the country was still recovering from more than two decades of political instability and civil strife which had brought about social disintegration and a total breakdown of infrastructure. Since 1986, the Government had committed itself to the protection of basic human rights, including the rights of women.

3. The national machinery for the advancement of women was spearheaded by the Ministry of Gender and Community Development; the Minister, a woman, had recently been appointed Vice President of the Republic. The Government based its strategy of integration of women into the mainstream of development on the national gender policy framework and sector-specific policies, aimed at providing guidelines for mainstreaming gender issues. At the sectoral level, interministerial committees reviewed policies and proposed revisions in order to make gender issues explicit. The Government also provided systematic gender awareness and analysis training for policy makers and senior officials. At the community level, local Women's Councils had been established to mobilize women's participation in the development of their local areas.

4. Recognizing that women had long been disadvantaged, the Government was committed to enhancing their participation in politics and decision-making through temporary affirmative action. As a result, 5 out of the 21 Cabinet Ministers were women and they represented 16 per cent of members of Parliament and 16 per cent of district administrators. The Constituent Assembly, which was drafting Uganda's new Constitution, had 54 women, or a total of 19 per cent of the delegates. The participation of women in the local Resistance Councils was mandatory, and a post of Secretary for Women was included in each Council committee. The number of women in high-level positions in the civil service was also growing.

5. Poverty in Uganda was reflected in its relatively low life expectancy and relatively high maternal mortality rates - 500 per 100,000 live births. Most households headed by women - which accounted for 20 per cent - had an income of less than $100 per capita per year. Whereas women constituted 70 to 80 per cent of the total agricultural labour force and were responsible for over 80 per cent of food production, only 7 per cent of land owners were women. Women accounted for a mere 20 per cent of the workforce in the formal sector, but were strongly represented in the informal sector. Uganda was one of the few sub-Saharan

African countries to have achieved self-sufficiency in food production, and the Government was currently seeking to eliminate hunger and nutritional deficiencies among women and children. There were various housing projects that enabled women to acquire the skills they needed to participate in the construction industry. The Government had also encouraged the banking sector and non-governmental organizations to provide credit and capital to women.

6. In the area of education, the Government had taken affirmative action to increase women's university enrolment. Female university applicants were awarded bonus points in the entrance system and at some colleges, half the vacancies would be reserved for female applicants until gender parity had been achieved. There had been a slight increase in the number of girls receiving technical training over the past 10 years. Other efforts to achieve gender balance would include special incentives for increased enrolment and retention of girls, a vigorous programme of basic non-formal education and efforts to mould public opinion in favour of education and training for women.

7. A number of deeply rooted social customs including polygamy and the payment of bride price, continued to directly affect the well-being of women and children. Female circumcision and genital mutilation, though not common, were still practised in certain parts of the country. In order to counteract the negative effects of traditional cultural practices on women, the Government had launched several programmes on gender sensitization and legal education to raise women's awareness of their legal rights and improve society's attitudes towards women. Issues of culture and socialization were also being addressed by non-governmental organizations.

8. The high population growth rate in Uganda was due not only to lack of access to and information on family planning, but also to cultural preferences for large families. Most women had little control over matters pertaining to their reproductive health and sexuality. In response, the Government's national health policy aimed at promoting community-based primary health care. Local non-governmental organizations had also supplemented government initiatives in addressing the health of mothers and children. The national policy on HIV/AIDS stressed the individual and collective responsibility of all for AIDS control activities and was directed at both prevention and active management of all the perceived consequences of the epidemic. In keeping with the multisectoral approach, AIDS control programmes had been set up in several ministries to supplement efforts of the Ministry of Health.

9. Rural women were highly dependent on their environment and natural resources. Since few women owned land they had limited access to credit which, in turn, affected their participation in development activities. Access to safe water supply and to fuelwood or other sources of energy was an ongoing problem for rural women.

10. The Government had already taken major steps to eliminate de facto discrimination and the draft Constitution would do much to eliminate <u>de jure</u> discrimination.

11. In conclusion, she noted that representatives of non-governmental organizations had been actively involved in preparing the report. Before its

submission to the Committee, a national workshop had been held where participants from those organizations and government institutions had analysed and discussed its content.

12. The CHAIRPERSON, after expressing her appreciation for the comprehensive information provided in the report, invited members to ask general questions.

13. Ms. ABAKA congratulated the Government of Uganda on its frank report and said that she was glad to learn of the involvement of non-governmental organizations in its preparation. She inquired what temporary measures had been taken to mitigate the negative effects of structural adjustment on the general population and on vulnerable groups, and said that she would also welcome more information about traditional cultural practices which adversely affected women.

14. Ms. BERNARD said that the report showed that there was much room for improvement in the status of women in Uganda. It was disturbing that the Constitution contained no mention of sexual discrimination or of other gender issues. She hoped that the matter would be remedied and that the Government would consider enacting equal rights legislation. Only when discrimination against women was actionable in the courts would the Convention on the Elimination of All Forms of Discrimination against Women be fully complied with.

15. Ms. OUEDRAOGO suggested that the Government of Uganda might try to increase the involvement of women's organizations in social and economic planning. She would welcome information as to what initiatives existed to strengthen those organizations and encourage their involvement in the defence of women's rights.

Article 2

16. Ms. ABAKA, referring to evidence of harassment by police officers of women who complained of domestic violence, asked whether there were any plans to incorporate the provisions of the Convention into the Uganda Constitution so that such examples of systematic non-compliance with the Convention could be challenged in court.

17. Ms. BERNARD, referring to the difficulty of proving rape in a court of law (para. 64), asked whether women's organizations or other agencies had taken any steps to try to amend the relevant laws and whether there were any programmes designed to sensitize law enforcement officials.

18. Ms. SATO inquired whether the Constituent Assembly intended to incorporate any provisions concerning discrimination against women in the new Constitution.

19. Ms. KHAN said that the language of the Decree of 1972 (para. 54) which interpreted the Constitution was symptomatic of the country's male-oriented laws. She asked whether the Constitutional Commission and the Law Reform Commission were taking adequate measures to incorporate the necessary changes in the wording of the Constitution, and whether non-governmental organizations or women's groups were being consulted. Also, she wondered whether the two Commissions were taking any temporary affirmative measures, whether the Law Reform Commission had any women members, and how many complaints of sexual discrimination had been dealt with by the Inspector General of Government.

20. Ms. MAKINEN said that she would welcome additional information regarding constitutional reform, including the time-scale involved. She wondered whether the Government had any plans to introduce equal-opportunities legislation. She welcomed the introduction of measures to amend legislation to address matters such as violence against women, and suggested that non-governmental organizations and women lawyers' associations should become involved in educating women and improving their level of legal literacy.

21. Ms. JAVATE DE DIOS welcomed the collaborative and consultative approach adopted by the Ugandan Government in preparing the report; a similar approach would be useful for the revision of those aspects of the Constitution which did not yet reflect the Government's determination to give full recognition to women's rights. The Government should consider the adoption of a strong constitutional provision on sexual equality.

22. She requested additional information regarding the incidence of rape, as well as any move by the Government to examine its root causes, its consequences for the victims, and the steps being taken to address the problem.

Article 3

23. Ms. BERNARD noted that the Uganda Association of Women Lawyers was apparently the only body operating a legal aid clinic (para. 77) and that more facilities of that type were needed. She wondered whether the Government had any plans in that respect, and whether any other agencies were considering providing such services.

24. Ms. OUEDRAOGO suggested that, given that traditional attitudes and practices conflicted with legal provisions and invariably placed women in an unfavourable position, the Government should consider enacting a new law on personal and family rights.

Articles 4 and 5

25. Ms. JAVATE DE DIOS, while welcoming the steps it had taken to address the underrepresentation of women in politics through affirmative action, asked what the Government planned to do to curb the incidence of domestic violence.

Article 6

26. Ms. BUSTELO GARCIA DEL REAL said that anyone reading the report might get the impression that Ugandan legislation was designed to protect society from prostitutes, rather than protecting the rights of the women concerned. Clearly it was against the law to be a prostitute; she wondered whether the prostitute's clients were also committing a criminal offence. She would also like to know whether the AIDS prevention measures described in the report also applied to prostitutes and their clients, and whether prostitutes were entitled to the same protection as other women if they were subjected to violence. She asked for clarification of paragraph 100 of the report, which did not make it clear whether the protection of minors referred to was protection from prostitution, and requested that future reports should provide details of measures to reduce trafficking in women, and the results of those measures.

27. Ms. BERNARD noted that prostitution tended to undermine programmes designed to curb the spread of AIDS, and asked what programmes had been implemented to decrease the incidence of prostitution.

Article 9

28. Ms. JAVATE DE DIOS asked if there were any plans to correct the inequality between men and women in respect of the rules concerning nationality and the acquisition of passports. She also inquired as to the possibility of addressing the problem of discrimination against girl children born of polygamous marriages. Noting that some women's groups had proposed the banning of polygamous unions, she wondered whether the Government had any plans in that respect.

29. Ms. ESTRADA CASTILLO asked whether a Ugandan husband could forbid his wife and children to leave the country, and if so, what plans the Government had to change that rule, and whether there was any authority to which the wife could appeal in such situations.

Article 10

30. Ms. ABAKA, noting that, according to paragraph 158 pre-school education was a private business, suggested that not everyone could pay for such facilities, and the Government should therefore provide for affordable nurseries and kindergartens for all children.

31. Ms. OUEDRAOGO, supported by Ms. ESTRADA CASTILLO, noting that a number (mainly girls) of children were living in a married relationship (CEDAW/C/UGA/1-2/Add.1, para. 3.10.4) inquired as to their ages and what measures would be taken to redress that situation.

32. Ms. AYKOR said that early pregnancies, doubtless contributed to illiteracy among women over 16 and to the high incidence of single-parent families headed by women. She asked whether primary education was compulsory, and what, if any, were the age limits for such education. According to the report, many early pregnancies were caused by teachers or other adults (CEDAW/C/UGA/1-2/Add.1, para. 3.10.2); that was a frightening situation, and she asked what measures the Government intended to apply to improve the situation.

33. Ms. BARE asked what action the Government was taking to punish the adults responsible for pregnancies among schoolgirls and what efforts had been made to educate girls about the dangers of early sexual activity.

34. With regard to the assertion that primary education would be compulsory and universal by the year 2003, the reporting State should indicate whether such a programme would be Government-aided; if not, cost factors could mean that girls would be even more marginalized given the increasing number of households headed by children.

Article 12

35. Ms. BERNARD, supported by Ms. ESTRADA CASTILLO, asked what percentage of female deaths were due to AIDS and what percentage were the result of illegal abortions. Given that 44 per cent of women who died as a result of abortion were under 20, it would be useful to know whether there were any specific measures in place to protect that vulnerable group. It would also be interesting to know how successful the Government's AIDS-control programmes were. The reporting State should be more specific about any penalties that were being applied to stop the practice of female circumcision, and whether it was actually prohibited by law. The Government should also provide further details about programmes it had organized to change people's thinking on the issue.

36. Ms. SATO said she would be interested to learn of any data about rape and incest affecting young girls in Uganda.

37. Ms. SHALEV asked for updated figures on the anticipated number of new AIDS cases in the near future and on the male-to-female ratio of AIDS infection. The fact that women in Uganda had so little control over their own sexual activity would explain the prevalence of the disease among women of child-bearing age. Moreover, the AIDS epidemic might be one reason for the high infant mortality rate. She was concerned that the report seemed to single out prostitutes as a threat to society and an obstacle to the success of campaigns to control the spread of AIDS. It was difficult to understand why the reporting State had not considered mass distribution of condoms as a means of halting the epidemic.

38. Ms. JAVATE DE DIOS, noting that the doctor-to-patient ratio was very low in Uganda, applauded the Government's support for traditional healers as a key element in making medicine more accessible especially in rural areas. The Committee would be interested to know whether the traditional healers were given sufficient resources to disseminate family-planning and AIDS-awareness information, and whether they constituted a network maintained by the Government to offset the shortage of doctors.

39. Ms. KHAN, noting that AIDS was a social as well as a medical problem, since it would affect the workforce of the future which, in turn, would impact negatively on agricultural production, asked for more specific information about programmes that had been made available to women to combat AIDS. In view of the fact that abortion was illegal in Uganda, she wondered whether a pregnant woman with AIDS could seek abortion on health grounds.

40. While noting that the penalties for having sexual relations with girls under 18 were severe, she said that the high number of teenage pregnancies would seem to suggest that the legislation was not effective. On the subject of the high fertility rate, the reporting State should provide additional data about the family-planning services available in rural areas, since it seemed that too many women in the countryside relied on ineffective traditional contraceptive methods.

41. Ms. SCHÖPP-SCHILLING requested additional general information about the reaction of women's groups inside Uganda to the various initiatives being organized by the Government. It would also be interesting to learn more about

the underlying cultural and anthropological factors in African society which militated against women. She expressed interest in the link, if any, between nutrition, early pregnancy and AIDS, and inquired to what extent local women's organizations could be mobilized to disseminate information about AIDS-related issues.

Article 14

42. Ms. OUEDRAOGO observed that rural women were almost always the most disadvantaged group in African societies because they were so far removed from the central power structures and were themselves extremely backward and resistant to change. Family-planning programmes made no headway among them because the women themselves were opposed to such projects; the role of the female was traditionally centred around childbearing. Strategic programmes involving information, education and communication were required to overcome that outlook.

Article 15

43. Ms. JAVATE DE DIOS said she would appreciate further information about the custom of wife inheritance, especially with regard to cases in which the husband had died of AIDS. On the subject of harassment of widows by a dead husband's relatives, she again requested more data about how such women could protect themselves. Finally, she asked what was being done to rectify the double standard that applied to grounds for divorce.

44. Ms. ESTRADA CASTILLO welcomed the introduction of legal reforms in Uganda but noted that social change often lagged behind legislation. She therefore wished to know whether specific measures were being taken to implement the provisions of the Convention concerning the relations of men and women in the family and to harmonize the Convention with existing religious and legal norms in Uganda.

45. The CHAIRPERSON welcomed the fact that women occupied positions of responsibility in Ugandan political life and hoped that they would work to bring about change in all sectors, particularly education, health and employment. A special effort should be made to reduce all discrimination against women with regard to property ownership and credit, since agriculture accounted for 80 per cent of the Ugandan economy. It was also to be hoped that laws protecting women from excision, rape and domestic violence would be strengthened. She welcomed the fact that women were represented on the Constitutional Commission and hoped that their input would help to ensure full equality of the sexes in Uganda.

46. Ms. BARYARUHA (Uganda) thanked the Committee for its support and solidarity and assured the Committee that the Ugandan population was not about to be depleted by the AIDS epidemic. Perhaps the situation seemed so alarming because the Ugandan report had been much more honest and forthcoming with statistics in comparison to other countries.

47. Ms. TALLAWY said that, as an African sister, she wished to caution Ugandan women that they might not always enjoy the support given to them by the current

leadership and urged them to work hard to advance the status of women while President Museveni was still in office.

48. Ms. Baryaruha (Uganda) withdrew.

49. Ms. Corti, Chairperson, took the Chair.

OTHER MATTERS

50. The CHAIRPERSON read out a letter from the Permanent Mission of Spain to the United Nations, addressed to her, in which the Spanish Government agreed to host and finance a meeting of CEDAW in order to enable it to complete the final document which the Committee would submit to the Fourth World Conference on Women. The session would be held at Madrid from 27 April to 1 May. It was not yet clear whether the special session would be considered official or unofficial. She requested clarification from Mr. Mathiason.

51. Mr. MATHIASON (Deputy Director, Division for the Advancement of Women) said that it was the first time that the Secretariat had been made aware of the Spanish proposal. He requested a copy of the letter, which he would submit to the appropriate authorities in the Secretariat for their consideration.

52. Ms. SINEGIORGIS expressed the hope that other Governments would emulate the Spanish initiative. Nothing that, in view of article 20 of the Convention and rule 3, paragraph 2, of the rules of procedure governing "other sites", the convening of the special session in Spain should not pose a problem.

53. Ms. ESTRADA CASTILLO and Ms. AYKOR expressed their thanks to the Spanish Government, and to Ms. Bustelo García del Real for her efforts.

54. Ms. BUSTELO GARCIA DEL REAL said that, while she had made the initial suggestion, the Chairperson had done all the work to arrange the meeting. The Minister of Social Affairs of Spain was a woman interested in promoting activities related to the Beijing Conference. The convening of a special session of CEDAW in Spain would provide the Spanish people with a better understanding of the United Nations, particularly its human rights activities, and would strengthen the work of Spanish women's organizations and the Ministry of Social Affairs.

55. Ms. AOUIJ also thanked the Spanish Government for its timely initiative, and urged the Secretariat to consider the April session as official.

56. Ms. TALLAWY expressed her appreciation to the Spanish Government, to the Chairperson and to Ms. Bustelo García del Real. She hoped that the Secretariat would not only consider the session in Spain as official but would also participate actively in it. It would be useful to consult the Committee on the Rights of the Child, where similar developments had taken place. Until such time as a permanent solution could be found to the Committee's lack of sufficient meeting time, the generous Spanish offer was a welcome measure.

57. Ms. SCHÖPP-SCHILLING thanked the Chairperson and the Spanish Government. She, too, felt strongly that the session should be official. Perhaps

Mr. Mathiason could give the Committee an idea of the deadlines for the submission of documentation intended for the Beijing Conference.

58. Mr. MATHIASON (Deputy Director, Division for the Advancement of Women) said that three of the five official documents for the Beijing Conference would be submitted to the Commission on the Status of Women for consideration during its March session. The updated edition of The World's Women would be issued in August. The Division had expected the Committee to complete work on its document during the current session. Of course, the Division would be flexible, but the sooner it received the document the better.

59. Ms. JAVATE DE DIOS expressed her appreciation to the Spanish Government, to the Chairperson and to Ms. Bustelo García del Real. The holding of a session in Spain would represent a proactive measure by CEDAW to deal with the problem of insufficient meeting time. She hoped that the Secretariat would cooperate with the Committee in that pioneering effort. She also hoped that the special session would be considered official, as it was actually a continuation of the Committee's work. The Committee must still discuss the draft Platform for Action and finalize the document it would submit to the Beijing Conference.

60. Ms. ABAKA requested the Secretariat to distribute copies of the draft Platform for Action to Committee members before the close of the current session.

The meeting rose at 6.05 p.m.